

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEARNING ANNEX HOLDINGS, LLC,
LEARNING ANNEX, LLC, and
LEARNING ANNEX, L.P.,

Plaintiffs,

v.

RICH GLOBAL, LLC and
CASHFLOW TECHNOLOGIES, INC.,

Defendants.

09 Civ. 4432 (SAS) (GWG)

**DEFENDANT'S OBJECTIONS TO PLAINTIFFS' DEPOSITION
DESIGNATIONS AND COUNTER-DESIGNATIONS**

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Plaintiffs' Designation¹	Defendants' Objection²	Defendants' Counter-Designation	Plaintiffs' Objection to Counter-Designation
Sharon Lechter (11/19/09)			
6:09-6:10			
7:20-8:03	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
9:06-10:04	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
12:08 – 13:09	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		

¹ Plaintiffs reserve the right to supplement their designations in the event that the Court allows facts into evidence which Plaintiffs are seeking to exclude in their motion *in limine*.

² Defendant additionally incorporates all of its objections to Plaintiffs' proffered exhibits, as set forth in Exhibit A to the Joint Pre-Trial Order of March 23, 2012. To the extent the Court agrees with Defendant that certain of these exhibits are inadmissible, Defendant submits that any reference to or discussion of such exhibits through deposition testimony is also improper.

18:24 – 19:22	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
23:25 – 24:20	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
32:06-32:23	Irrelevant (Fed. R. Evid. 401, 402).		
34:19-35:13	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
37:01-39:07	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
44:22-45:07	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
47:17 - 48:23	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	121:13-25	
52:11-52:17			

53:16-55:09	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	52:11-53:15; 55:23-60:9; 103:13-104:1; 104:6-106:5	
57:1-59:01			
63:04-63:11	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
65:19-67:14	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
67:24-70:12	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	70:13-15	
70:16-71:01	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	70:13-15	
76:06-76:25	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
77:01-80:01	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		

83:15-85:14	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
87:14-88:02	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	88:3-6	
93:01-93:07			
101:20-102:20	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	121:13-25	
111:20-114:20	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
116:19-117:18	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
John Kane (7/22/10)	Hearsay (Fed. R. Evid. 801, 802). <i>See</i> Defendant's Opposition to Plaintiffs' Motion <i>in Limine</i> at 6-7.		
6:23-8:22			
14:01-15:12			

25:05-28:01	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	10:21-11:4; 12:14-17; 14:1-15:8; 36:13-16; 63:9-64:4; 72:1-21; 102:8-13; 103:21-104:5	
29:22-30:05			
32:13 – 34:16	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
34:20 – 35:19	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
45:09-46:13	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).	10:21-11:4; 12:14-17; 14:1-15:8; 102:8-13; 103:21-104:5	
46:23- 51:15	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	36:13-16; 63:9-64:4; 72:1-21	
52:06-53:20	Hearsay (Fed. R. Evid. 801, 802).		
54:01-57:02	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	57:3-10	

61:13-61:22	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
65:13-66:05			
67:08-67:13			
68:15-69:06	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
75:03-76:04	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), inadmissible character evidence (Fed. R. Evid. 404), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	36:13-16; 63:9-64:4; 72:1-21	
78:24-79:07	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .		
88:08-88:18	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403),. Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	90:15-24	
93:02-93:19	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	90:15-24	

94:10-95:01	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	90:15-24	
104:21-105:21	Irrelevant (Fed. R. Evid. 401, 402). Objection to the extent this excerpt implicates Defendant's Motions <i>In Limine</i> .	10:21-11:4; 12:14-17; 14:1-15:8; 102:8-13; 103:21-104:5	